

- (2) By letter mailed first class mail, postage paid, or by electronic mail message to each neighborhood association registered with defined boundaries with the department in whose area the general plan or plat is located as soon as reasonably possible before the first meeting at which the commission will consider the application.

(b) The applicant shall give the notice required by subsections 42-81(g) and 42-82(f) of this Code by posting at least one sign on the property that is the subject of the general plan or plat before the tenth day before the date of the meeting at which the commission will first consider the application. A sign shall face each public right-of-way bordering the site, provided, however, that if more than four signs would be required to be posted, the applicant may request the director to approve an alternative number and location of signs. The director shall approve an alternative to the number and location of signs required by this subsection in excess of four upon determining that the alternative will provide maximum visibility and obtain the objectives of this section without unduly burdening the applicant. Each sign shall be a minimum of four by eight feet in size and shall be posted no more than 15 feet from the public right-of-way. The lettering on the sign shall be legible from the public right-of-way. The applicant shall use reasonable efforts to maintain each required sign on the site until the close of the meeting at which the commission acts on the application. The sign shall provide the following information:

- (1) The application number of the plat and the fact that a variance or special exception is being requested;
  - (2) The date, time, and place of the meeting at which the commission will first consider the application;
  - (3) A telephone number of the applicant to call for additional information; and
  - (4) A department telephone number to call for additional information.
- (Ord. No. 00-860, § 10, 9-27-00)

\*—The option for giving notice shall not be available until the director reports to the city council, after notice to the commission, that the electronic formatting is functioning and

the city council by motion authorizes the use of this alternative for notice in lieu of letters to individual property owners.

**Editor's note**—The alternative for notification provided for in part b. of section 42-83(a)(1) of the Code of Ordinances as amended by this section shall not be authorized until the city council by motion, upon recommendation of the planning director after notice to the planning commission, confirms that the planning and development department has established an adequate electronic notification system to implement the purposes of notification provided for in this section.

That, at the option of the applicant, applications pursuant to chapter 42, Code of Ordinances, Houston, Texas, filed before the effective date of this section shall be governed by either: (1) one or more of the former provisions of the chapter 42, Code of Ordinances, Houston, Texas, which are hereby saved from repeal for the limited purpose of their continued application to previously filed applications, or (2) one or more of the provisions of chapter 42, Code of Ordinances, Houston, Texas, as amended by this section. Notwithstanding the foregoing, the requirements of section 42-82 of this section shall not become effective until 12:00 a.m. of the day following the first date for plat submittal pursuant to subsection 42-53(a), Code of Ordinances, Houston, Texas, following the effective date of this section.

**Secs. 42-84—42-99. Reserved.**

### ARTICLE III. PLANNING STANDARDS

#### DIVISION 1. GENERAL

##### Sec. 42-100. Applicability.

The standards established in this article shall apply to all subdivision plats and development plats required by this chapter. Notwithstanding the foregoing, land use regulations adopted by a tax increment reinvestment zone created by the city pursuant to chapter 311 of the Texas Tax Code, and to which the city has delegated the authority to adopt land use regulations, shall govern all property in the tax increment reinvestment zone to the extent of a conflict with these requirements.

(Ord. No. 99-262, § 2, 3-24-99)

##### Sec. 42-101. Urban area designation.

(a) The city council may designate any area within the city that meets each of the criteria of subsection (c) of this section as an urban area.

(b) An application for the designation of an urban area shall be filed with the department and shall:

- (1) Be made on an application form provided by the department; and
- (2) Be signed by one or more owners of property within the area proposed for designation.

(c) An area is eligible for designation as an urban area if:

- (1) The area is bounded by one or more major thoroughfares or other defining physical features, such as railroad tracks or rights-of-way, major overhead power transmission lines contained in fee strips or easements of at least 80 feet in width, bayous, flood control drainageways, parks or schools;
- (2) At least 80 percent of the parcels within the boundaries of the area, exclusive of parcels designated as public parks or open space, are developed with improvements;
- (3) At least 25 percent of the parcels within the boundaries of the area are developed for or deed restricted to single-family residential or multi-family residential use;
- (4) At least 30 percent of the parcels within the area are developed with nonresidential uses;
- (5) Single-family residential development within the boundaries of the area is at an average density of at least five units per acre, exclusive of public street rights-of-way;
- (6) At least 25 percent of the streets within the boundaries of the area do not exceed 1,000 feet between intersections; and
- (7) The area comprises at least one-half of a square mile of land.

(d) The commission shall receive the recommendation of the director regarding the application and hold a public hearing on the application before recommending to the city council the designation of any urban area pursuant to this section. The director shall give notice of the public

hearing before the commission to each owner of property in the proposed urban area as shown on the most recently certified tax roll of the county in which the area proposed for designation is located by letter deposited into the United States postal service, postage paid, no later than 30 days before the date of the public hearing. The director also shall give notice of the public hearing before the commission by posting, no later than 30 days before the date of the public hearing, at least two signs within the boundaries of the proposed urban area at locations selected by the director as reasonably calculated to be seen by residents of, and occupants of property within, the proposed urban area. The signs shall be placed so that each sign will be visible, and the writing on the sign will be legible, from at least one public right-of-way. Each sign shall be a minimum of four by eight feet in size, and shall contain at a minimum the following items of information:

- (1) That the area is being considered for designation as an urban area;
- (2) A general description of the area being considered for designation;
- (3) The date of the public hearing on the designation; and
- (4) The name and telephone number of a person within the department who can be contacted for additional information.

If the director, in his sole discretion, determines that the size, configuration, traffic patterns or other characteristics of the proposed urban area warrant the placement of additional signs, the director shall cause an appropriate number of additional signs to be posted.

At the public hearing before the commission, the director shall maintain a register upon which interested persons may place their names and mailing addresses. At the public hearing before the commission, any owner of property within the proposed urban area and any other interested person shall be entitled to make comments, in person or in writing, on the proposed designation.

(e) After the close of the public hearing, the commission shall recommend to the city council the designation of a proposed urban area that meets the criteria of subsection (c). If the commis-

sion, by majority vote of members present, votes to recommend the designation of the proposed urban area, the director shall forward the recommendation to the city council for consideration. If the commission does not vote to recommend the designation of the proposed urban area, the action of the commission with respect to the application is final. If the commission does not recommend designation of an area as an urban area, the department shall not accept an application for designation of the same or substantially the same area for one year following the date of the commission action.

(f) Upon receipt of the recommendation of the planning commission, the city council shall hold a public hearing on the recommendation. The director shall give notice of the public hearing before the city council by mail to each person on the register established under subsection (d) not less than 30 days prior to the date of the public hearing before the city council. After the close of the public hearing the city council shall consider the recommendation of the commission and, consistent with the criteria of subsection (c), approve or deny the proposed designation. The decision of the city council with respect to a designation shall be final. If the city council does not designate an area proposed as an urban area, the department shall not accept an application for designation of the same or substantially the same area for one year following the date of the city council action. (Ord. No. 99-262, § 2, 3-24-99)

**Secs. 42-102—42-119. Reserved.**

## DIVISION 2. STREETS

### Sec. 42-120. General layout and arrangement of street systems.

(a) The street system proposed within any subdivision plat or general plan shall comply with the design standards of this section and shall provide:

- (1) A sufficient number of continuous streets to accommodate the traffic generated by the development of the subdivision;
- (2) A system serving properties to be developed for residential purposes that discour-

ages through traffic while maintaining adequate access and traffic movement for convenient circulation within the subdivision and access for fire, police and other emergency services;

- (3) Adequate vehicular access to all properties within the subdivision plat boundaries;
- (4) Connections to adjacent properties to ensure adequate traffic circulation within the general area; and
- (5) The dedication of rights-of-way, including the rights-of-way for major thoroughfares in accordance with the major thoroughfare plan.

(b) One or more alleys may be included within a subdivision plat provided that:

- (1) Each alley will be drained in accordance with the design manual; and
- (2) The alley shall not provide access to any property outside the subdivision plat boundaries unless the alley was part of an earlier subdivision plat.

(Ord. No. 99-262, § 2, 3-24-99)

### Sec. 42-121. Dedication of rights-of-way.

(a) The applicant shall dedicate to the public the right-of-way for any street or alley designated in a subdivision plat as a public right-of-way in accordance with the requirements of this chapter and applicable state law.

(b) When an existing public street with a right-of-way width that does not meet the requirements of section 42-122 of this Code is adjacent to and forms a boundary of a subdivision plat or development plat, the owner of the property within the proposed subdivision or development shall dedicate sufficient additional right-of-way within the proposed subdivision or development adjacent to the existing right-of-way to provide one-half of the total right-of-way width necessary to meet the requirements of section 42-122 of this Code. In the case of a subdivision plat, the dedication shall be made by plat. In the case of a development plat, the dedication shall be made by separate instrument. The commission shall waive the re-